

No. PD-1226-18

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FILED

COURT OF CRIMINAL APPEALS  
9/25/2019

In the Texas Court of Criminal Appeals DEANA WILLIAMSON, CLERK

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**MARK DAVID ZIMMERMAN, Appellant,**

**v.**

**STATE OF TEXAS, Appellee.**

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On Petition for Discretionary Review from the  
Fifth Court of Appeals in Dallas  
COA No. 05-17-00492-CR  
Tr. Ct. No. 067724

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**APPELLANT'S MOTION FOR PERMISSION  
TO FILE REPLY BRIEF**

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TO THE HONORABLE TEXAS COURT OF CRIMINAL APPEALS:

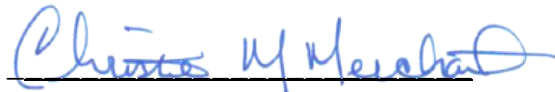
Comes now Appellant Mark Zimmerman, by and through his attorney of record, Christie M. Merchant, pursuant to Texas Rule of Appellate Procedure 70.4 and files this Motion for Permission to File Reply Brief. In support thereof, Appellant would show as follows:

On September 12, 2019, the State of Texas filed its brief in response to Appellant's brief. Counsel has identified two issues warranting a reply and has prepared a Reply Brief for this Court to consider in addition to the previous briefs filed in this matter. The word count for the entirety of Appellant's briefs do not exceed 15,000 words, and additional time to prepare the Reply is not required as it is being filed at the same time as this Motion.

**CONCLUSION AND PRAYER**

For the reasons set forth above, undersigned counsel prays this Court will grant Appellant's Motion for Permission to File a Reply Brief.

Respectfully submitted,

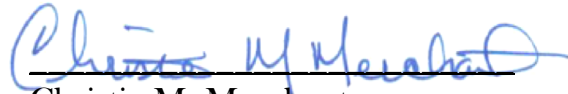
A handwritten signature in blue ink, appearing to read "Christie M. Merchant", is written over a horizontal line.

Christie M. Merchant  
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*Attorney for Appellant*  
*Mark Zimmerman*

### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing Appellant's Brief has been forwarded to the Grayson County District Attorney's Office and Office of the State Prosecuting Attorney on September 24, 2019 via EfileAndServe.

  
Christie M. Merchant